



DOCKET NO.: M1043.70000US00

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Millington *et al.*
Serial No.: 09/994,243
Conf. No.: 8115
Filed: November 27, 2001
For: EXERCISE EQUIPMENT LOCATOR
Examiner: Glenn E. Richman
Art Unit: 3764

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 19, 2004.

Colleen Snyder
Colleen Snyder

MAIL STOP AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

1. Response to Restriction Requirement; and
2. Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Millington et al., Applicant

By:

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Date: August 19, 2004
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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants hereby elect the claims of Group IV, which corresponds to claim 48, drawn to a system for tracking exercise completed by a user.

REMARKS

In response to the Restriction Requirement mailed on July 19, 2004, Applicants respectfully request reconsideration. The Examiner has set forth a restriction requirement including claims 1-31 and 49 in Group I, claims 32-39 in Group II, claims 40-47 in Group III, claim 48 in Group IV, claim 50 in Group V and claim 51 in Group VI. By the foregoing, Applicants have elected to restrict examination to claim 48 in Group IV.

Having made this election, Applicants expressly reserve the right to file one or more divisional applications on the subject matter of the non-elected claims.